



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

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Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 077-138, HUNTING, BAGWELL AND DEEP CREEKS

EFFECTIVE 4 JUNE 2008

Pursuant to Title 28.2, Chapter 8, §28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 077-138, Hunting, Bagwell and Deep Creeks," effective 20 June 2007, is cancelled effective 4 June 2008.
2. Condemned Shellfish Area Number 077-138, shown as Sections A, B and C, is established, effective 4 June 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Hunting, Bagwell and Deep Creeks, Condemned Shellfish Area Number 077-138, 4 June 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 077-138, shown as Section M1, is hereby established, effective 4 June 2008, for the period June 4, 2008, through October 31, 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of this area are shown on the map titled "Hunting, Bagwell and Deep Creeks, Condemned Shellfish Number 077-138, 4 June 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 077-138

- A. The condemned area shall include that portion of Bagwell Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°48'10.3", -75°42'37.4") and (37°48'06.9", -75°42'28.2").



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- B. The condemned area shall include that portion of Hunting Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°47'25.5", -75°42'27.0") and (37°47'24.9", -75°42'39.3").
- C. The condemned area shall include that portion of Deep Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°46'07.4", -75°44'58.6") and (37°46'07.8", -75°44'43.0").
- M1. The seasonally condemned area shall include that portion of Deep Creek and its tributaries lying upstream of a line drawn between latitude / longitude coordinate (37°46'23.5", -75°45'04.4") and (37°46'19.5", -75°44'52.6"); except for the area defined as Section C.

Recommended by:

Mr. E. Woonhyler
Director, Division of Shellfish Sanitation

Ordered by:

Karen Beuleys *5/22/08*
State Health Commissioner Date

**Virginia Department of Health
Hunting, Bagwell and Deep Creeks
Condemned Shellfish Area Number 077-138
4 June 2008**

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